REMARKS

Claims 1 through 8 remain pending in the present application. Claims 1 through 3, 5, 7 and 8 have been amended. Basis for the amendments can be found throughout the specification, drawings and claims as originally filed.

SPECIFICATION

The specification stands objected to for certain informalities. Applicants have amended the specification according to the Examiner's suggestions. Therefore, reconsideration and withdrawal of this objection are respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

The Examiner has rejected claims 1 through 6 and 8 under 35 U.S.C. §103 as being unpatentable over Dodd in view of Rosenberger et al. Also, the Examiner has rejected the same claims as being unpatentable over Rosenberger et al in view of Dodd. Also, the Examiner has rejected claim 7 as being unpatentable over Dodd and Rosenberger et al further in view of Saidman.

Claim 1 now defines a device for spraying at least one food additive through various conduits into a spray zone to spray food stuff. A respective regulation valve is present per food additive. The regulation valve is associated with the diluent container and the further container, which include a liquid food additive. A dilution control controls the regulation valve to control the rate of flow of both the diluent and the liquid food additive to the mixer. Also, the dilution control is responsive to the flow of the food stuff being conveyed by a

transporting mechanism to control the rate of flow of the additive in proportion to the flow of the solid food stuff. This is effective to vary the flow of diluent in response to the desired total flow rate of liquid food additive to the sprayer to maintain a constant flow rate.

The Dodd reference, cited by the Examiner, fails to disclose or suggest Applicants' invention. Dodd neither discloses or suggests the regulation valve as suggested by the Examiner. The valve 36 is a three-way valve to switch between the water feed line 32 and a purging air line 34. Thus, the valve does not regulate the flow of the diluent and liquid food stuff. Further, there is no suggestion that the valve 36 is controlled by the computer controller. The computer controller controls the pumps 52, 54 and 56. Likewise, the Dodd reference fails to disclose or suggest a constant flow rate as claimed by Applicants.

The Examiner combines Dodd with the Rosenberger et al reference. The Rosenberger et al reference discloses flow meters with respective servo valves in conjunction with each diluent and additive containers. The flow is controlled by the closed loop fluid control device 12 which responds to a humidity sensor. There is no indication of a dry mass measurement system which feeds a signal to the dilution controller in order to vary the flow of additives in response to the flow rate of solid articles as in Applicants' invention. Therefore, the combination by the Examiner still fails to disclose or suggest Applicants' invention.

Likewise, the combination of Rosenberger et al in view of Dodd fails to disclose or suggest Applicants' invention in view of the above reasoning. Further, the combination of the two combinations with Saidman fail to disclose or suggest

Applicants' invention. The Saidman reference fails to overcome the deficiencies of the Dodd and Rosenberger et al references.

Thus, in light of the above amendments and remarks, Applicants submit that all pending claims are in condition for allowance. Accordingly, Applicants respectfully request the Examiner to pass the case to issue at her earliest possible convenience. Should the Examiner have any questions regarding the present application, she should not hesitate to contact the undersigned at (248) 641-1600.

Respectfully submitted,

Dated: September 30, 2003

By: _____
W. R. Duke Taylor
Reg. No. 31,306

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

WRDT/jp